

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

CAROL PETHTEL, individually and in  
her capacity as Administratrix of the  
Estate of THOMAS SAMUEL PETHTEL, JR.,  
deceased, and as guardian ad litem for  
TARA BROTHERS, TABITHA PETHTEL and  
THOMAS S. PETHTEL, III,

Plaintiff,

v.

Civil Action No. 5:06CV87  
(STAMP)

WEST VIRGINIA STATE POLICE,  
COLONEL DAVID L. LEMMON,  
SUPERINTENDENT OF THE  
WEST VIRGINIA STATE POLICE,  
SERGEANT GERALD L. MENENDEZ,  
SERGEANT CHARLES F. TRADER,  
FIRST SERGEANT DAVID B. MALCOMB,  
FIRST SERGEANT L. SCOT GOODNIGHT,  
CORPORAL R.L. MEFFORD and  
TROOPER J.A. SIMMONS, individually  
and in their capacity as members of  
the Special Response Team - Alpha Team  
of the West Virginia State Police,  
CAPTAIN T. PHILLIPS, State Police  
Commanding Officer in Ohio County,

Defendants.

**ORDER RESCHEDULING TIME OF PRETRIAL CONFERENCE**

For reasons appearing to the court, it is hereby ORDERED that  
the time of the pretrial conference in this civil action be  
RESCHEDULED and will now be held on **February 19, 2008 at 1:15 p.m.**

All other dates contained in the previous scheduling order  
entered in this case shall remain in effect.

The Clerk is directed to transmit copies of this order to  
counsel of record herein.

DATED: February 12, 2008

/s/ Frederick P. Stamp, Jr.  
FREDERICK P. STAMP, JR.  
UNITED STATES DISTRICT JUDGE